

Office of Consumer Counsel  
2013 Legislative Package  
Priority Listing

1. AAC Integrated Resource Planning for Electricity
2. AAC Conservation and Load Management Planning Processes
3. AAC the Comprehensive Energy Strategy Process
4. AAC Administration of the Public Rights-of-Way
5. AAC Creation of a Commission for Technology Advancement
6. AAC Clarity of Retail Electric Offering Term
7. AAC Disclosure of Utility Executive Salaries
8. AAC Disclosure of High Speed Internet (Broadband) Access



## Agency Legislative Proposal - 2013 Session

**Document Name** (e.g. OPM1015Budget.doc; OTG1015Policy.doc):

**20121001\_OCC\_C&LM\_Revisions.docx**

(If submitting an electronically, please label with date, agency, and title of proposal – 092611\_SDE\_TechRevisions)

**State Agency:** Office of Consumer Counsel

**Liaison:** Joseph Rosenthal

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**E-mail:** Joseph.Rosenthal@ct.gov

**Lead agency division requesting this proposal:**

OCC

**Agency Analyst/Drafter of Proposal:**

Joseph Rosenthal

### **Title of Proposal**

**AAC Conservation and Load Management Planning Processes**

**Statutory Reference**

16-245m

### **Proposal Summary**

This proposed bill would combine electric and natural gas conservation plans into one plan. Also, delineates the roles of the Department of Energy and Environmental Protection (DEEP) and the Public Utilities Regulatory Authority (PURA) within DEEP in the conservation and load management plan process, including by clarifying PURA's responsibility to conduct a proceeding to review the rate impacts of such plan.

*Please attach a copy of fully drafted bill (required for review)*

## **PROPOSAL BACKGROUND**

### **• Reason for Proposal**

*Please consider the following, if applicable:*

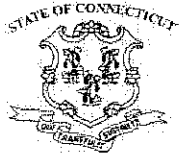
- (1) *Have there been changes in federal/state/local laws and regulations that make this legislation necessary?*
- (2) *Has this proposal or something similar been implemented in other states? If yes, what is the outcome(s)?*
- (3) *Have certain constituencies called for this action?*
- (4) *What would happen if this was not enacted in law this session?*

Combining the electric and natural gas conservation planning promotes efficiency of planning and coordination in achieving related goals. With the establishment of DEEP pursuant to Public Act 11-80, the roles of DEEP and PURA in the conservation and load management planning process should reflect PURA's continuing authority to review electric and natural gas rate impacts.

### **• Origin of Proposal**

☒ **X** New Proposal

☐ Resubmission



If this is a resubmission, please share:

- (1) What was the reason this proposal did not pass, or if applicable, was not included in the Administration's package?
- (2) Have there been negotiations/discussions during or after the previous legislative session to improve this proposal?
- (3) Who were the major stakeholders/advocates/legislators involved in the previous work on this legislation?
- (4) What was the last action taken during the past legislative session?

OCC would characterize this as a new proposal because there are some differences with a provision in 2012 Senate Bill 415, a major energy bill which ultimately did not pass, but there are also many similarities with the version in Senate Bill 415.

## PROPOSAL IMPACT

- **Agencies Affected** (please list for each affected agency)

Agency Name: Public Utilities Regulatory Authority and Department of Energy and Environmental Protection  
Agency Contact (name, title, phone): PURA Chairman Arthur House, (860)827-1553, Katie Dykes, Deputy Commissioner for Energy of DEEP, (860)827-2805  
Date Contacted: September 27-28

Approve of Proposal ☐ YES ☐ NO ☒ X Talks Ongoing

### Summary of Affected Agency's Comments

Interested; warrants further discussion.

Will there need to be further negotiation? ☒ X YES ☐ NO

- **Fiscal Impact** (please include the proposal section that causes the fiscal impact and the anticipated impact)

**Municipal** (please include any municipal mandate that can be found within legislation)

**State**

**Federal**

Additional notes on fiscal impact  
None expected.

- **Policy and Programmatic Impacts** (Please specify the proposal section associated with the impact)



As discussed above in the "Reason for Proposal" section, this proposal will promote effective and coordinated conservation and load management planning by combining the electric and natural gas conservation plans. The bill also clarifies PURA's continuing authority to review the potential rate impacts of conservation and load management plans.

**Insert fully drafted bill here**

**AN ACT CONCERNING CONSERVATION AND  
LOAD MANAGEMENT PLANNING PROCESSES**

Subsection (d) of section 16-245m of the 2012 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(d) (1) Not later than October 1, 2012, and every two years thereafter, the electric distribution companies and gas companies shall submit to the commissioner a plan to implement cost-effective energy conservation programs and market transformation initiatives. The Energy Conservation Management Board shall advise and assist [the electric distribution] such companies in the development and implementation of [a comprehensive] such plan, which plan shall be approved by the Department of Energy and Environmental Protection. ], to implement cost-effective energy conservation programs and market transformation initiatives.] Such plan shall include steps that would be needed to achieve the goal of weatherization of eighty per cent of the state's residential units by 2030. Each program contained in the plan shall be reviewed by [the electric distribution company] such companies and either accepted or rejected by the Energy Conservation Management Board prior to submission to the [department] commissioner for approval. The Energy Conservation Management Board shall, as part of its review, examine opportunities to offer joint programs providing similar efficiency measures that save more than one fuel resource or otherwise to coordinate programs targeted at saving more than one fuel resource. Any costs for joint programs shall be allocated equitably among the conservation programs. The Energy Conservation Management Board shall give preference to projects that maximize the reduction of



federally mandated congestion charges. The [Department] Commissioner of Energy and Environmental Protection shall, in an uncontested proceeding during which the department may hold a public [hearing] meeting, approve, modify or reject the comprehensive plan prepared pursuant to this subsection. In the event that the plan approved by the commissioner contains any provision the implementation of which requires funding through new or amended rates or charges, the Public Utilities Regulatory Authority shall conduct a proceeding to review such provision in accordance with the procedures established in section 16-19 or subsection (c) of section 16-19b to ensure that rates remain just and reasonable.

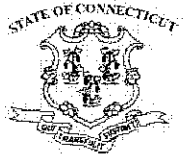
(2) There shall be a joint committee of the Energy Conservation Management Board and the board of directors of the Clean Energy Finance and Investment Authority. The [board and the advisory committee] boards shall each appoint members to such joint committee. The joint committee shall examine opportunities to coordinate the programs and activities funded by the Clean Energy Fund pursuant to section 16-245n, as amended by this act, with the programs and activities contained in the plan developed under this subsection to reduce the long-term cost, environmental impacts and security risks of energy in the state. Such joint committee shall hold its first meeting on or before August 1, 2005.

(3) Programs included in the plan developed under subdivision (1) of this subsection shall be screened through cost-effectiveness testing that compares the value and payback period of program benefits to program costs to ensure that programs are designed to obtain energy savings and system benefits, including mitigation of federally mandated congestion charges, whose value is greater than the costs of the programs. Program cost-effectiveness shall be reviewed annually, or otherwise as is practicable, and shall incorporate the results of the evaluation process set forth in subdivision (4) of this subsection. If a program is determined to fail the cost-effectiveness test as part of the review process, it shall either be modified to meet the test or shall be terminated. On or before March 1, 2005, and on or before March first annually thereafter, the board shall provide a report, in accordance with the provisions of section 11-4a, to the joint standing committees of the General Assembly having cognizance of matters relating to energy and the environment that documents (A) expenditures and fund balances and evaluates the cost-effectiveness of such programs



conducted in the preceding year, and (B) the extent to and manner in which the programs of such board collaborated and cooperated with programs, established under section 7-233y, of municipal electric energy cooperatives. To maximize the reduction of federally mandated congestion charges, programs in the plan may allow for disproportionate allocations between the amount of contributions to the Energy Conservation and Load Management Funds by a certain rate class and the programs that benefit such a rate class. Before conducting such evaluation, the board shall consult with the board of directors of the Clean Energy Finance and Investment Authority. The report shall include a description of the activities undertaken during the reporting period. [Jointly or in collaboration with the Clean Energy Fund established pursuant to subsection (c) of section 16-245n.]

(4) The Department of Energy and Environmental Protection shall adopt an independent, comprehensive program evaluation, measurement and verification process to ensure the Energy Conservation Management Board's programs are administered appropriately and efficiently, comply with statutory requirements, programs and measures are cost effective, evaluation reports are accurate and issued in a timely manner, evaluation results are appropriately and accurately taken into account in program development and implementation, and information necessary to meet any third-party evaluation requirements is provided. An annual schedule and budget for evaluations as determined by the board shall be included in the plan filed with the department pursuant to subdivision (1) of this subsection. The electric distribution and gas company representatives and the representative of a municipal electric energy cooperative may not vote on board plans, budgets, recommendations, actions or decisions regarding such process or its program evaluations and their implementation. Program and measure evaluation, measurement and verification shall be conducted on an ongoing basis, with emphasis on impact and process evaluations, programs or measures that have not been studied, and those that account for a relatively high percentage of program spending. Evaluations shall use statistically valid monitoring and data collection techniques appropriate for the programs or measures being evaluated. All evaluations shall contain a description of any problems encountered in the process of the evaluation, including, but not limited to, data collection issues, and recommendations regarding addressing those problems in future evaluations. The board shall contract with one or more consultants not affiliated with the board members

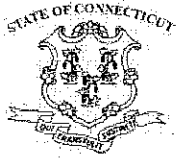


to act as an evaluation administrator, advising the board regarding development of a schedule and plans for evaluations and overseeing the program evaluation, measurement and verification process on behalf of the board. Consistent with board processes and approvals and department decisions regarding evaluation, such evaluation administrator shall implement the evaluation process by preparing requests for proposals and selecting evaluation contractors to perform program and measure evaluations and by facilitating communications between evaluation contractors and program administrators to ensure accurate and independent evaluations. In the evaluation administrator's discretion and at his or her request, the electric distribution and gas companies shall communicate with the evaluation administrator for purposes of data collection, vendor contract administration, and providing necessary factual information during the course of evaluations. The evaluation administrator shall bring unresolved administrative issues or problems that arise during the course of an evaluation to the board for resolution, but shall have sole authority regarding substantive and implementation decisions regarding any evaluation. Board members, including electric distribution and gas company representatives, may not communicate with an evaluation contractor about an ongoing evaluation except with the express permission of the evaluation administrator, which may only be granted if the administrator believes the communication will not compromise the independence of the evaluation. The evaluation administrator shall file evaluation reports with the board and with the department in its most recent uncontested proceeding pursuant to subdivision (1) of this subsection and the board shall post a copy of each report on its Internet web site. The board and its members, including electric distribution and gas company representatives, may file written comments regarding any evaluation with the department or for posting on the board's Internet web site. Within fourteen days of the filing of any evaluation report, the department, members of the board or other interested persons may request in writing, and the department shall conduct, a transcribed technical meeting to review the methodology, results and recommendations of any evaluation. Participants in any such transcribed technical meeting shall include the evaluation administrator, the evaluation contractor and the Office of Consumer Counsel at its discretion. On or before November 1, 2011, and annually thereafter, the board shall report to the joint standing committee of the General Assembly having cognizance of matters relating to energy, with the results and recommendations of completed program evaluations.



(5) Programs included in the plan developed under subdivision (1) of this subsection may include, but not be limited to: (A) Conservation and load management programs, including programs that benefit low-income individuals; (B) research, development and commercialization of products or processes which are more energy-efficient than those generally available; (C) development of markets for such products and processes; (D) support for energy use assessment, real-time monitoring systems, engineering studies and services related to new construction or major building renovation; (E) the design, manufacture, commercialization and purchase of energy-efficient appliances and heating, air conditioning and lighting devices; (F) program planning and evaluation; (G) indoor air quality programs relating to energy conservation; (H) joint fuel conservation initiatives programs targeted at reducing consumption of more than one fuel resource; (I) public education regarding conservation; and (J) demand-side technology programs recommended by the [integrated resources plan approved by the Department] Integrated Resources Plan adopted by the Commissioner of Energy and Environmental Protection pursuant to section 16a-3a, as amended by this act. The board shall periodically review contractors to determine whether they are qualified to conduct work related to such programs and to ensure that vendors are selected in a fair and equitable manner. [Such support] Support for such programs may be by direct funding, manufacturers' rebates, sale price and loan subsidies, leases and promotional and educational activities. The plan shall also provide for expenditures by the [Energy Conservation Management Board] board for the retention of expert consultants and reasonable administrative costs provided such consultants shall not be employed by, or have any contractual relationship with, an electric distribution company. Such costs shall not exceed five per cent of the total revenue collected from the assessment.





## Agency Legislative Proposal - 2013 Session

**Document Name** (e.g. OPM1015Budget.doc; OTG1015Policy.doc):

**20121001\_OCC\_Commission\_for\_Technology\_Advancement.docx**

(If submitting an electronically, please label with date, agency, and title of proposal -- 092611\_SDE\_TechRevisions)

**State Agency:** Office of Consumer Counsel

**Liaison:** William Vallee

**Phone:** (860)827-2905)

**E-mail:** William.Vallee@ct.gov

**Lead agency division requesting this proposal:**

OCC

**Agency Analyst/Drafter of Proposal:**

William Vallee

### Title of Proposal

**AAC Creation of a Commission for Technology Advancement**

### Statutory Reference

4d-80, 4d-81, 4d-82, 4d-84, 4d-85, 10-4h, 10-262n, 11-2b, 16-331, 16-333h

### Proposal Summary

The bill renames the "Commission for Educational Technology" as the "Commission for Technology Advancement" and revises the commission's charge and goals by requiring it to be the state's principal technology advancement policy advisor.

*Please attach a copy of fully drafted bill (required for review)*

## PROPOSAL BACKGROUND

### • Reason for Proposal

*Please consider the following, if applicable:*

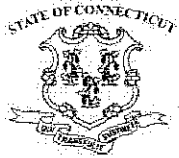
- (1) Have there been changes in federal/state/local laws and regulations that make this legislation necessary?
- (2) Has this proposal or something similar been implemented in other states? If yes, what is the outcome(s)?
- (3) Have certain constituencies called for this action?
- (4) What would happen if this was not enacted in law this session?

To create a Commission that would function as the state's principal technology advancement policy advisor, rather than solely focusing on educational technology as at present. Among other things, the proposal promotes technology advancement by municipalities by adding municipal facilities to the list of entities to be connected to a statewide high speed network.

### • Origin of Proposal

☐ New Proposal

☒ Resubmission



If this is a resubmission, please share:

- (1) What was the reason this proposal did not pass, or if applicable, was not included in the Administration's package?
- (2) Have there been negotiations/discussions during or after the previous legislative session to improve this proposal?
- (3) Who were the major stakeholders/advocates/legislators involved in the previous work on this legislation?
- (4) What was the last action taken during the past legislative session?

This proposal tracks the language of §§ 35-44 of 2012 H.B. 5027, File # 302, which passed the House last year with an unrelated amendment but did not get voted on in the Senate.

## PROPOSAL IMPACT

- **Agencies Affected** (please list for each affected agency)

Agency Name:

Agency Contact (name, title, phone):

Date Contacted:

Approve of Proposal    ☐ YES    ☐ NO    ☐ Talks Ongoing

### Summary of Affected Agency's Comments

Will there need to be further negotiation?    ☐ YES    ☐ NO

- **Fiscal Impact** (please include the proposal section that causes the fiscal impact and the anticipated impact)

**Municipal** (please include any municipal mandate that can be found within legislation)

**State**

**Federal**

Additional notes on fiscal impact  
None expected.

- **Policy and Programmatic Impacts** (Please specify the proposal section associated with the impact)



See the "Reason for Proposal" section, above.

**Insert fully drafted bill here**

AN ACT CONCERNING CREATION OF A  
COMMISSION FOR TECHNOLOGY ADVANCEMENT

Be it enacted by the Senate and House of Representatives in General Assembly convened:

**Part 1.** Section 4d-80 of the 2012 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2012*):

(a) There is established a Commission for [Educational] Technology Advancement within the [Department of Administrative Services] Office of Policy and Management. The commission shall consist of the following members or their designees: (1) The Secretary of the Office of Policy and Management, the Commissioner of Administrative Services, [or the commissioner's designee,] the Commissioner of Education, the Commissioner of Economic and Community Development, the president of The University of Connecticut and the president of the Board of Regents for Higher Education, [or their designees,] the State Librarian [, or the State Librarian's designee, the chairperson of the Public Utilities Regulatory Authority, or the chairperson's designee, the chief executive officers of the constituent units of the state system of higher education, or their designees,] and the Consumer Counsel, (2) one member each representing the Connecticut Conference of Independent Colleges, the Connecticut Association of Boards of Education, the Connecticut Association of Public School Superintendents, the [Connecticut Educators Computer Association,] Connecticut Conference of Municipalities, the Connecticut Council of Small Towns and the Connecticut Library Association, and (3) [a secondary school teacher designated by the Connecticut Education Association and an elementary school teacher designated by the Connecticut Federation of Educational and Professional Employees, and (4) four] three members who represent business and have expertise in information technology, one



each appointed by the Governor, [the Lieutenant Governor,] the speaker of the House of Representatives and the president pro tempore of the Senate. [The Lieutenant Governor shall convene the first meeting of the commission on or before September 1, 2000.]

(b) The [commission shall elect] Governor shall appoint a chairperson from among [its] the members of the commission. Subject to the provisions of chapter 67, and within available appropriations, the commission may appoint an executive director and such other employees as may be necessary for the discharge of the duties of the commission. Notwithstanding any provision of the general statutes, the executive director shall have the option to elect participation in the state employees retirement system, or the alternate retirement program established for eligible employees in higher education or the teachers' retirement system.

(c) The commission shall:

(1) Be the principal [educational] technology advancement policy advisor for state government;

(2) Develop, oversee and direct the attainment of state-wide technology advancement goals including:

(A) Connecting [all] institutions of higher education, libraries, public elementary and secondary schools, regional educational service centers, municipal facilities and other parties through a state-wide high speed, flexible network that will allow for video, voice and data transmission at reasonable rates;

(B) Wiring [all] school classrooms and connecting them to the Internet and to the state-wide high speed network through wired, wireless, or any other digital transmission technology providing high speed connectivity; and

(C) Providing access for [all] public schools, public libraries and libraries at institutions of higher education to a core set of on-line full text resources and to the ability to purchase collaboratively for other collections in order to maximize buying power;

[(D) Ensuring, in cooperation with the State Board of Education, competency in computing skills by the sixth grade for all students;

(E) Ensuring competency in specific computing skills and the integration of technology into the curriculum for all public school teachers;



(F) Ensuring that institutions of higher education offer a wide range of course and degree programs via the Internet and through other synchronous and asynchronous methods;]

(3) Coordinate the activities of all state agencies, educational institutions and other parties involved in the creation and management of a reliable and secure network that will offer connectivity and allow for the transmission of video, voice and data transmission to every library, school, regional educational service center, [and] institution of higher education and municipal facility at reasonable rates;

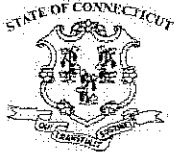
(4) Be the liaison between the Governor and the General Assembly and local, state and federal organizations and entities with respect to [educational] technology advancement matters;

(5) Develop and maintain a long-range plan and make related recommendations for the coordination of [educational] technology advancement. The plan shall (A) establish clear goals and a strategy for [using telecommunications and information] technology advancement to improve education, research and access, (B) [include a professional development strategy to ensure that teachers and faculty know how to use the new technologies to improve education] improve digital literacy and awareness, (C) include an assessment of the telecommunications, hardware, software and other services that will be needed to improve education, and (D) include an evaluation process that monitors progress towards the specified goals;

[(6) Measure the availability and usage of Internet access sites available to the public, including, but not limited to, those maintained by state and local government agencies, libraries, schools, institutions of higher education, nonprofit organizations, businesses and other organizations and recommend strategies for reducing the disparities in Internet accessibility and usage across the state and among all potential users;]

[(7)] (6) Establish methods and procedures to ensure the maximum involvement of members of the public, educators, librarians, representatives of higher education, the legislature and local officials in [educational] technology advancement matters and organize, as necessary, [advisory boards] subcommittees consisting of individuals with expertise in a particular discipline significant to the work of the commission;

[(8)] (7) On or before January 1, [2001] 2013, and [annually] biennially thereafter, the commission shall report, in accordance with section 11-4a, on its activities, progress made in the attainment of the state-wide technology advancement goals as outlined in the long-range plan and any recommendations to the joint standing committee of the General Assembly having cognizance of matters relating to education, commerce,



higher education and appropriations and the budgets of state agencies; [, the State Board of Education, and the Board of Regents for Higher Education. The report shall include recommendations for adjustments to the funding formula for grants pursuant to section 10-262n if there are school districts that are at a disadvantage in terms of wiring their schools and the use of technology in their schools;]

[(9)] (8) Enter into such contractual agreements, in accordance with established procedures, as may be necessary to carry out the provisions of this section;

[(10)] (9) Take any other action necessary to carry out the provisions of this section.

(d) The Commission for [Educational] Technology Advancement may request any office, department, board, commission or other agency of the state to supply such reports, information and assistance as may be necessary or appropriate in order to carry out its duties and requirements.

[(e) For purposes of this section, educational technology shall include, but not be limited to: (1) Computer-assisted instruction; (2) information retrieval and data transfer; (3) telecommunications related to voice, data and video transmission of instruction related materials and courses; (4) the development and acquisition of educational software; and (5) the instructional uses of the Internet and other technologies.]

**Part 2.** Section 4d-81 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2012*):

There is established [an educational] a technology advancement account. The Commission for [Educational] Technology Advancement shall deposit in said account any private donation, bequest or devise made to it to assist in the attainment of the state-wide technology advancement goals established pursuant to subdivision (2) of subsection (c) of section 4d-80, as amended by this act. Said account is intended to be in addition to those resources that are appropriated by the state for technology purposes. The commission shall use the resources of the account for activities related to the attainment of such goals.

**Part 3.** Subsection (a) of section 4d-82 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2012*):

(a) The Commission for [Educational] Technology Advancement shall develop, with the advice and assistance of the State Board of Education, the Board of Regents for Higher Education and the Department of Administrative Services, a five-year plan for the implementation of the Connecticut Education Network to provide state-of-the-art, high-



speed, reliable Internet access and video, voice and data transmissions that electronically link all educational institutions in the state, including public and independent institutions of higher education, the state's libraries and all elementary, middle and secondary schools and other institutions including businesses, job centers and community organizations. The plan shall include the establishment of a Connecticut Digital Library as a component of the Connecticut Education Network to ensure on-line access by all students and citizens to essential library and information resources. The State Library, in conjunction with the Board of Regents for Higher Education, shall administer the Connecticut Digital Library. The Connecticut Digital Library shall provide access to available on-line electronic full-text databases, a state-wide electronic catalog and interlibrary loan system and the electronic and physical delivery of library resources. The Connecticut Digital Library shall include elements specifically designed to meet the educational and research needs of the general public, higher education students and faculty and elementary and secondary school students and teachers.

**Part 4.** Section 4d-84 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2012*):

The Department of Administrative Services, after consultation with the Commission for [Educational] Technology Advancement and the State Board of Education, shall develop minimum and model technology standards, including wiring, wireless and connectivity standards, for school construction projects under chapter 173 and for the grant program established pursuant to section 10-262n, as amended by this act.

**Part 5.** Section 4d-85 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2012*):

The Department of Education, in cooperation with the Commission for [Educational] Technology Advancement, shall develop, by July 1, 2001, and shall update every two years thereafter: (1) A state-wide standard for teacher and administrator competency in the use of technology for instructional purposes, and (2) a state-wide plan to assist teachers and administrators to achieve the standard. The commission shall assess the resources necessary to achieve such goal. The commission shall submit the plan to the General Assembly in accordance with the provisions of section 11-4a.

**Part 6.** Subsection (a) of section 10-4h of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2012*):

(a) The Department of Education, in consultation with the Commission for [Educational] Technology Advancement, shall establish a competitive grant program,



within the limit of the bond authorization for purposes of this section, to assist (1) local and regional school districts, (2) regional educational service centers, (3) cooperative arrangements among one or more boards of education, and (4) endowed academies approved pursuant to section 10-34 that are eligible for school building project grants pursuant to chapter 173, to upgrade or install wiring, including electrical wiring, cable or other distribution systems and infrastructure improvements to support telecommunications and other information transmission equipment to be used for educational purposes, provided the department may expend up to two per cent of such bond authorization for such purposes for the regional [vocation-technical] vocational-technical school system.

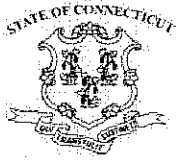
**Part 7.** Subsection (b) of section 10-262n of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2012*):

(b) Local and regional boards of education shall apply to the department for grants at such time and in such manner as the Commissioner of Education prescribes. In order to be eligible for a grant, a local or regional board of education shall: (1) Have a technology plan that was developed or updated during the three-year period preceding the date of application for grant funds and, once the Commission for [Educational] Technology Advancement develops the long-range plan required pursuant to subdivision (5) of subsection (c) of section 4d-80, as amended by this act, the local technology plan shall be consistent with such long-range plan, (2) provide that each school and superintendent's office be able to communicate with the Department of Education using the Internet, (3) present evidence that it has applied or will apply for a grant from the federal Universal Service Fund, and (4) submit a plan for the expenditure of grant funds in accordance with subsection (c) of this section.

**Part 8.** Section 11-2b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2012*):

The State Library, in consultation with the Commission for [Educational] Technology Advancement, within available appropriations, shall contract, through a request for proposal process, for the development of a Connecticut Parent Technology Academy. The academy shall be host network for the development of increased opportunities for parents of elementary, middle and secondary school students to learn about and demonstrate their knowledge of information technologies. The academy shall: (1) Identify existing programs and best practices for the delivery of information technology training for parents, (2) coordinate the development of curriculum models to be used to train parents in the use of information technologies, and (3) seek business, philanthropic, community and educational partners to expand training locations and learning options for parents. The Commission for [Educational] Technology





Advancement shall work in collaboration with the academy to negotiate vendor discounts for computer purchases and upgrades and low interest bank loans for such purchases for parents who successfully complete an information technology training program.

**Part 9.** Subdivision (5) of subsection (d) of section 16-331 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2012*):

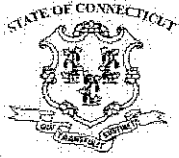
(5) The authority shall adopt regulations, in accordance with chapter 54, establishing procedures and standards for the renewal of certificates issued to community antenna television companies. Such regulations shall, without limitation, (A) incorporate the provisions of the Communications Act of 1934, 47 USC 546, (B) require the authority to consult with the advisory council for the franchise area served by the certificate holder before making a decision concerning the renewal of the certificate, (C) require any holder of a certificate which is not renewed by the authority to continue to operate the franchise for one year after the end of its term or until a successor is chosen and ready to assume control of the franchise, whichever is sooner, (D) establish standards for the content of notices sent to cable subscribers concerning public hearings for franchise renewal proceedings which standards shall include, without limitation, the requirements specified in subdivision (6) of this subsection, (E) establish standards to ensure that the costs and expenses of a municipality constructing, purchasing or operating a community antenna television company are accurately attributed to such company, and (F) establish quality standards for the instructional and educational channels. The authority shall adopt regulations pursuant to this subdivision in conjunction with the Commission for [Educational] Technology Advancement.

**Part 10.** Subsection (a) of section 16-333h of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2012*):

(a) Each community antenna television company, as defined in section 16-1, shall, not later than the date it extends energized trunk and feeder to all areas within its franchise territory in which there are at least twenty-five prospective subscribers per aerial plant mile of extension and fifty prospective subscribers per underground plant mile of extension, extend such trunk and feeder to public and private elementary and secondary schools in such franchise areas and offer one instructional television channel as part of its basic service. Each such company may utilize such instructional television channel for noninstructional television programming during any time when the channel is not needed for instructional programming. No such company shall be required to offer the instructional television channel on or after July 1, 1995, unless the Commission for [Educational] Technology Advancement certifies to the Public Utilities Regulatory Authority that educational agencies in the company's franchise area have utilized the



instructional television channel to provide, during the school year, an average of not less than twenty hours per week of credit and noncredit instructional programming, programming supporting school curricula and programming for professional development.



## Agency Legislative Proposal - 2013 Session

**Document Name** (e.g. OPM1015Budget.doc; OTG1015Policy.doc):

**20121001\_OCC\_IRP\_Revisions**

(If submitting an electronically, please label with date, agency, and title of proposal – 092611\_SDE\_TechRevisions)

**State Agency:** Office of Consumer Counsel

**Liaison:** Joseph Rosenthal

**Phone:** (860)827-2906

**E-mail:** Joseph.Rosenthal@ct.gov

**Lead agency division requesting this proposal:**  
OCC

**Agency Analyst/Drafter of Proposal:**  
Joseph Rosenthal

### Title of Proposal

**AAC Integrated Resource Planning for Electricity**

### Statutory Reference

16a-3a

### Proposal Summary

This proposed bill clarifies the processes that will take place at the Department of Energy and Environmental Protection (DEEP) for the biennial development of the Integrated Resource Plan (IRP) for electric resources. The proposal also clarifies that the Public Utilities Regulatory Authority (PURA) within DEEP has the responsibility to conduct a proceeding to review the rate impacts of such IRP.

*Please attach a copy of fully drafted bill (required for review)*

## PROPOSAL BACKGROUND

### • Reason for Proposal

*Please consider the following, if applicable:*

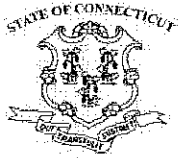
- (1) *Have there been changes in federal/state/local laws and regulations that make this legislation necessary?*
- (2) *Has this proposal or something similar been implemented in other states? If yes, what is the outcome(s)?*
- (3) *Have certain constituencies called for this action?*
- (4) *What would happen if this was not enacted in law this session?*

With the establishment of DEEP pursuant to Public Act 11-80, DEEP now conducts much of the IRP process formerly performed by the Department of Public Utility Control, but the procedures for ensuring public participation in the process and to promote input from interested stakeholders warrant clarification. This proposal also confirms PURA's continuing authority to review the potential electric rate impacts of IRP.

### • Origin of Proposal

☒ **X** New Proposal

☐ Resubmission



If this is a resubmission, please share:

- (1) What was the reason this proposal did not pass, or if applicable, was not included in the Administration's package?
- (2) Have there been negotiations/discussions during or after the previous legislative session to improve this proposal?
- (3) Who were the major stakeholders/advocates/legislators involved in the previous work on this legislation?
- (4) What was the last action taken during the past legislative session?

OCC would characterize this as a new proposal because there are some differences with a provision in 2012 Senate Bill 415, a major energy bill which ultimately did not pass, but there are also many similarities with the version in Senate Bill 415.

## PROPOSAL IMPACT

- **Agencies Affected** (please list for each affected agency)

Agency Name: Public Utilities Regulatory Authority and Department of Energy and Environmental Protection  
Agency Contact (name, title, phone): Chairman Arthur House, (860)827-1553, Katie Dykes, Deputy Commissioner for Energy of DEEP, (860)827-2805  
Date Contacted: September 27-28

Approve of Proposal ☐ YES ☐ NO ☒ X Talks Ongoing

### Summary of Affected Agency's Comments

Interested; warrants consideration and further discussion.

Will there need to be further negotiation? ☒ X YES ☐ NO

- **Fiscal Impact** (please include the proposal section that causes the fiscal impact and the anticipated impact)

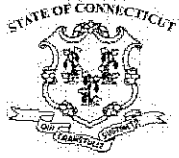
**Municipal** (please include any municipal mandate that can be found within legislation)

**State**

**Federal**

Additional notes on fiscal impact  
None expected.

- **Policy and Programmatic Impacts** (Please specify the proposal section associated with the impact)



See the "Reason for Proposal" section, above.

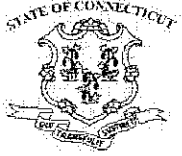
**Insert fully drafted bill here**

# AN ACT CONCERNING INTEGRATED RESOURCE PLANNING FOR ELECTRICITY

Section 16a-3a of the 2012 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) The [Department] Commissioner of Energy and Environmental Protection, in consultation with the Connecticut Energy Advisory Board and the electric distribution companies, shall review the state's energy and capacity resource assessment and develop an [integrated resources plan] Integrated Resources Plan for the procurement of energy resources, including, but not limited to, conventional and renewable generating facilities, energy efficiency, load management, demand response, combined heat and power facilities, distributed generation and other emerging energy technologies to meet the projected requirements of their customers in a manner that minimizes the cost of such resources to customers over time and maximizes consumer benefits consistent with the state's environmental goals and standards. Such [integrated resources plan] Integrated Resources Plan shall seek to lower the cost of electricity.

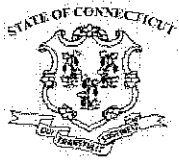
(b) On or before January 1, 2012, and biennially thereafter, the [Department] Commissioner of Energy and Environmental Protection, in consultation with the Connecticut Energy Advisory Board and the electric distribution companies, shall prepare an assessment of (1) the energy and capacity requirements of customers for the next three, five and ten years, (2) the manner of how best to eliminate growth in electric demand, (3) how best to level electric demand in the state by reducing peak demand and shifting demand to off-peak periods, (4) the impact of current and projected environmental standards, including, but not limited to, those related to greenhouse gas



emissions and the federal Clean Air Act goals and how different resources could help achieve those standards and goals, (5) energy security and economic risks associated with potential energy resources, and (6) the estimated lifetime cost and availability of potential energy resources.

(c) Resource needs shall first be met through all available energy efficiency and demand reduction resources that are cost-effective, reliable and feasible. The projected customer cost impact of any demand-side resources considered pursuant to this subsection shall be reviewed on an equitable basis with nondemand-side resources. The [integrated resources plan] Integrated Resources Plan shall specify (1) the total amount of energy and capacity resources needed to meet the requirements of all customers, (2) the extent to which demand-side measures, including efficiency, conservation, demand response and load management can cost-effectively meet these needs in a manner that ensures equity in benefits and cost reduction to all classes and subclasses of consumers, (3) needs for generating capacity and transmission and distribution improvements, (4) how the development of such resources will reduce and stabilize the costs of electricity to each class and subclass of consumers, and (5) the manner in which each of the proposed resources should be procured, including the optimal contract periods for various resources.

(d) The [integrated resources plan] Integrated Resources Plan shall consider: (1) Approaches to maximizing the impact of demand-side measures; (2) the extent to which generation needs can be met by renewable and combined heat and power facilities; (3) the optimization of the use of generation sites and generation portfolio existing within the state; (4) fuel types, diversity, availability, firmness of supply and security and environmental impacts thereof, including impacts on meeting the state's greenhouse gas emission goals; (5) reliability, peak load and energy forecasts, system contingencies and existing resource availabilities; (6) import limitations and the appropriate reliance on such imports; (7) the impact of the [procurement plan] Procurement Plan on the costs of electric customers; and (8) the effects on participants and nonparticipants. [Such plan] The Integrated Resources Plan shall include options for lowering the rates and cost of electricity. \_The Department of Energy and Environmental Protection shall hold a [public hearing] public meeting and a technical meeting on such [integrated resources plan] Integrated Resources Plan. [pursuant to chapter 54. The commissioner may



approve or reject such plan with comments.]

(e) [The procurement manager of the Public Utilities Regulatory Authority, in consultation with the electric distribution companies, the regional independent system operator, and the Connecticut Energy Advisory Board, shall develop a procurement plan and hold public hearings on the proposed plan. Such hearings shall not constitute a contested case and shall be held in accordance with chapter 54. The Public Utilities Regulatory Authority shall give not less than fifteen days' notice of such proceeding by electronic publication on the department's Internet web site.] In adopting the Integrated Resources Plan, the commissioner shall conduct an uncontested proceeding that shall include not less than one public meeting and one technical meeting. Not less than fifteen days before any such public meeting and not less than thirty days before any technical meeting, the commissioner shall publish notice of such meetings and post the text of the proposed Integrated Resources Plan on the department's Internet web site. Notice of such [hearing] meeting may also be published in one or more newspapers having a state-wide circulation if deemed necessary by the commissioner. Such notice shall state the date, time, and place of [the hearing] any meeting, the subject matter of the [hearing] meeting, the manner and time period during which comments and questions may be submitted to the commissioner, the statutory authority for the proposed [integrated resources plan] Integrated Resources Plan and the location where a copy of the [proposed integrated resources] plan may be obtained or examined. [in addition to posting the plan on the department's Internet web site.] The commissioner shall provide a time period of not less than [forty-five] sixty days from the date the notice is published on the department's Internet web site for public review and comment and during such period any person may submit comments and questions concerning the proposed plan to the commissioner. All written comments or questions submitted to the commissioner shall be promptly posted on the department's Internet web site. Any technical meeting conducted pursuant to this section shall be recorded and transcribed. Such transcription shall be promptly posted on the department's Internet web site. Department staff and any expert retained by the commissioner in developing the plan shall be available at any such technical meeting to answer the questions of participants. The commissioner shall consider fully, after all public meetings, all written and oral comments concerning the proposed [integrated resources plan] Integrated Resources Plan and shall finalize the plan. The commissioner shall post

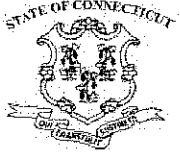


on the department's Internet web site, and notify by electronic mail each person who requests such notice, [. The commissioner shall make available] the electronic text of the final [integrated resources plan or an Internet web site where the final integrated resources plan is posted,] Integrated Resources Plan and a report summarizing [(1)] all public comments, [and (2)] the commissioner's response to such comments, the changes made to the final [integrated resources] plan in response to such comments and the reasons therefor. Any document or transcript related to the plan shall be indexed on the department's Internet web site in a manner that is readily accessible to any such interested person. The commissioner shall submit the final [integrated resources plan] Integrated Resources Plan by electronic means, or as requested, to the joint standing committees of the General Assembly having cognizance of matters relating to energy and the environment. The department's Bureau of Energy shall, after the public hearing, make recommendations to the Commissioner of Energy and Environmental Protection regarding plan modifications. Said commissioner shall approve or reject the plan with comments. The commissioner may modify the Integrated Resources Plan to correct clerical errors at any time without following the procedures outlined in this subsection. The commissioner shall post any modified plan on the department's Internet web site and provide the electronic text of such modified plan by electronic mail to each person who requests such text.

(f) [On or before March 1, 2012] Not later than two years after the adoption of the Comprehensive Energy Strategy, adopted pursuant to section 16a-3d, as amended by this act, and the Integrated Resources Plan, adopted pursuant to this section, and every two years thereafter, the [Department] Commissioner of Energy and Environmental Protection shall report to the joint standing committees of the General Assembly having cognizance of matters relating to energy and the environment regarding goals established and progress toward implementation of [the integrated resources plan established pursuant to this section] said plan and said strategy, as well as any recommendations [for the process] concerning said plan and said strategy. Any such report may be submitted electronically.

(g) All reasonable costs associated with the development of the resource assessment, [and the development of the integrated resources plan] the Integrated Resources Plan, adopted pursuant to this section, and the [procurement plan] Procurement Plan,





adopted pursuant to section 16-244m, as amended by this act, shall be recoverable through the assessment in section 16-49, as amended by this act. All electric distribution companies' reasonable costs associated with the development of the Integrated Resources Plan, if any, shall be recoverable through a reconciling, nonbypassable component of electric rates as determined by the authority.

(h) The decisions of the Public Utilities Regulatory Authority shall be guided by the goals of the Department of Energy and Environmental Protection, as described in section 22a-2d, and with the goals of the [integrated resources plan] Integrated Resources Plan approved pursuant to this section and the [comprehensive energy plan] Comprehensive Energy Strategy developed pursuant to section 16a-3d and shall be based on the evidence in the record of each proceeding.

(i) In the event that the Integrated Resources Plan finalized by the commissioner contains any provision the implementation of which requires funding through new or amended rates or charges, the commissioner shall request that the Public Utilities Regulatory Authority open a proceeding to review such provision, in accordance with the procedures established in section 16-19 or subsection (c) of section 16-19b to ensure that rates remain just and reasonable.



## Agency Legislative Proposal - 2013 Session

**Document Name** (e.g. OPM1015Budget.doc; OTG1015Policy.doc):

**20121001\_OCC\_UTILITY\_Pole\_Administrator.docx**

(If submitting an electronically, please label with date, agency, and title of proposal – 092611\_SDE\_TechRevisions)

**State Agency:** Office of Consumer Counsel

**Liaison:** Joseph Rosenthal and William Vallee

**Phone:** (860)827-2906 and (860)827-2905

**E-mail:** [Joseph.Rosenthal@ct.gov](mailto:Joseph.Rosenthal@ct.gov) and [William.Vallee@ct.gov](mailto:William.Vallee@ct.gov)

**Lead agency division requesting this proposal:**

OCC

**Agency Analyst/Drafter of Proposal:**

Joseph Rosenthal and WilliamVallee

### **Title of Proposal**

**AAC Administration of the Public Rights-of-Way**

### **Statutory Reference**

16-11

### **Proposal Summary**

The proposal amends Section 16-11 to clarify the authority of the Public Utilities Regulatory Authority (PURA) to appoint an administrator of the public rights of way in each electric distribution company service territory, which administrator would deal with issues relating to utility poles and pole attachments.

*Please attach a copy of fully drafted bill (required for review)*

## **PROPOSAL BACKGROUND**

### **• Reason for Proposal**

*Please consider the following, if applicable:*

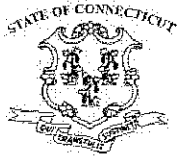
- (1) *Have there been changes in federal/state/local laws and regulations that make this legislation necessary?*
- (2) *Has this proposal or something similar been implemented in other states? If yes, what is the outcome(s)?*
- (3) *Have certain constituencies called for this action?*
- (4) *What would happen if this was not enacted in law this session?*

PURA has been considering appointment of pole administrators in each electric distribution company service territory as part of investigatory proceedings related to the 2011 storm outages. This bill would provide clarity as to PURA's ability to do that, and would state the primary responsibilities of such administrator.

### **• Origin of Proposal**

☒ **New Proposal**

☐ **Resubmission**



If this is a resubmission, please share:

- (1) What was the reason this proposal did not pass, or if applicable, was not included in the Administration's package?
- (2) Have there been negotiations/discussions during or after the previous legislative session to improve this proposal?
- (3) Who were the major stakeholders/advocates/legislators involved in the previous work on this legislation?
- (4) What was the last action taken during the past legislative session?

## PROPOSAL IMPACT

- **Agencies Affected** (please list for each affected agency)

Agency Name: Public Utilities Regulatory Authority and Department of Energy and Environmental Protection

Agency Contact (name, title, phone): PURA Chairman Arthur House, (860)827-1553, Katie Dykes, Deputy Commissioner for Energy of DEEP, (860)827-2805

Date Contacted: September 27-28

Approve of Proposal    ☐ YES    ☐ NO    ☒ X Talks Ongoing

### Summary of Affected Agency's Comments

Interested; warrants consideration.

Will there need to be further negotiation?    ☐ YES    ☐ NO    Uncertain at this time.

- **Fiscal Impact** (please include the proposal section that causes the fiscal impact and the anticipated impact)

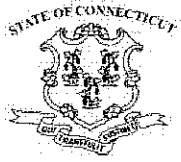
**Municipal** (please include any municipal mandate that can be found within legislation)

**State**

**Federal**

Additional notes on fiscal impact  
None expected.

- **Policy and Programmatic Impacts** (Please specify the proposal section associated with the impact)



By establishing an administrator of the public rights-of-way in each electric distribution company territory, this proposal will promote reliable utility services. It will also promote commerce in the telecommunications and internet fields by facilitating pole attachments through an impartial administrator. The development of a statewide pole and attachment database will advance those same goals.

## AN ACT CONCERNING ADMINISTRATION OF THE PUBLIC RIGHTS-OF-WAY

Sec. 16-11. Safety of public and employees. Powers. Administrator of the public rights of way.

(a) The Public Utilities Regulatory Authority [~~Department of Public Utility Control~~] shall, so far as is practicable, keep fully informed as to the condition of the plant, equipment and manner of operation of all public service companies in respect to their adequacy and suitability to accomplish the duties imposed upon such companies by law and in respect to their relation to the safety of the public and of the employees of such companies.

(b) The authority [~~department~~] may order such reasonable improvements, repairs or alterations in such plant or equipment, or such changes in the manner of operation, as may be reasonably necessary in the public interest.

(c) The authority shall designate a single pole administrator of the public rights of way in each electric distribution company territory. Said administrator shall oversee and review all activities of utility pole owners and attachers concerning utility poles, conduitS, ducts and other facilities in the public rights of way. A public service company, including an electric distribution company, may serve as pole administrator in an electric distribution company service territory. The pole administrator's oversight shall include, but not be limited to, creating a statewide database and management software system to manage attachments to the poles, providing impartial administration of the pole licensing system, prioritizing and expediting the completion of make ready work and installations required by pole attachers and their customers, resolving scheduling or payment conflicts between pole owners and attachers, monitoring reports of outside plant code violations and their repair, determining



compliance with any authority decisions concerning the pole attachment process, and taking other actions as may be required to ensure effective management of attachments and equal access to poles by all telephone companies and telecommunications services providers. The pole administrator may direct the activities of pole owners and attachers as required in the fulfillment of these duties, and may seek an authority order pursuant to subsection (b) of this section to ensure compliance with any necessary measures. The administrator may also conduct audits and submit reports to the authority concerning said matters. Said administrator shall effectuate the goals set forth in subsections (a) and (b) of this section, and shall implement the statutory requirements of sections § 16-18, § 16-19e, § 16-243, § 16-247h relating to the public rights of way. The authority shall adopt regulations regarding procedures and standards for the performance of the duties of a pole administrator and the appropriate compensation thereof.

(d) The general purposes of this section and sections 16-19, 16-25, 16-43 and 16-47 are to assure to the state of Connecticut its full powers to regulate its public service companies, to increase the powers of the Public Utilities Regulatory Authority, [~~Department of Public Utility Control~~] and to promote local control of the public service companies of this state, and said sections shall be so construed as to effectuate these purposes.



## Agency Legislative Proposal - 2013 Session

**Document Name** (e.g. OPM1015Budget.doc; OTG1015Policy.doc):

**20121001\_OCC\_Broadband\_Access\_Disclosure.docx**

(If submitting an electronically, please label with date, agency, and title of proposal – 092611\_SDE\_TechRevisions)

**State Agency:** Office of Consumer Counsel

**Liaison:** William Vallee

**Phone:** (860)827-2905

**E-mail:** William.Vallee@ct.gov

**Lead agency division requesting this proposal:**  
OCC

**Agency Analyst/Drafter of Proposal:**  
William Vallee

### Title of Proposal

**AAC Disclosure of High Speed Internet (Broadband) Access**

**Statutory Reference**

**New Provision**

### Proposal Summary

This proposed bill would require disclosure by the seller of whether the residential or commercial property has access to high speed internet (broadband) service.

*Please attach a copy of fully drafted bill (required for review)*

## PROPOSAL BACKGROUND

### • Reason for Proposal

*Please consider the following, if applicable:*

- (1) *Have there been changes in federal/state/local laws and regulations that make this legislation necessary?*
- (2) *Has this proposal or something similar been implemented in other states? If yes, what is the outcome(s)?*
- (3) *Have certain constituencies called for this action?*
- (4) *What would happen if this was not enacted in law this session?*

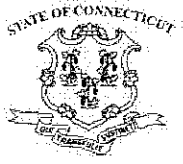
OCC has received complaints from constituents that they purchased property and made the unpleasant discovery that they do not have reliable access to the internet. Given the central importance of internet access to modern life, internet access should be treated as a required real estate disclosure.

### • Origin of Proposal ☒ New Proposal ☐ Resubmission

*If this is a resubmission, please share:*

- (1) *What was the reason this proposal did not pass, or if applicable, was not included in the Administration's package?*
- (2) *Have there been negotiations/discussions during or after the previous legislative session to improve this proposal?*
- (3) *Who were the major stakeholders/advocates/legislators involved in the previous work on this legislation?*
- (4) *What was the last action taken during the past legislative session?*

## PROPOSAL IMPACT



• **Agencies Affected** (please list for each affected agency)

Agency Name: Public Utilities Regulatory Authority of the Department of Energy and Environmental Protection

Agency Contact (name, title, phone): Chairman Arthur House, (860)827-1553

Date Contacted: September 27, 2012

Approve of Proposal    ☐ YES    ☐ NO    ☒ Talks Ongoing

**Summary of Affected Agency's Comments**

PURA asked some questions about the proposal.

Will there need to be further negotiation?    ☐ YES    ☐ NO    This is uncertain at this time.

• **Fiscal Impact** (please include the proposal section that causes the fiscal impact and the anticipated impact)

**Municipal** (please include any municipal mandate that can be found within legislation)

**State**

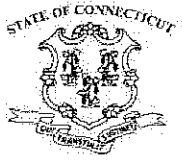
**Federal**

Additional notes on fiscal impact  
None expected.

• **Policy and Programmatic Impacts** (Please specify the proposal section associated with the impact)

See the "Reason for Proposal" section, above.

**Insert fully drafted bill here**



AN ACT CONCERNING DISCLOSURE OF  
HIGH SPEED INTERNET (BROADBAND) ACCESS.

Be it enacted by the Senate and House of Representatives in General Assembly  
convened:

(NEW) Any seller of a residential or commercial building shall disclose to a potential  
buyer, prior to the acceptance of any offer to purchase, whether the building has access  
to high speed internet (broadband) services.





## Agency Legislative Proposal - 2013 Session

**Document Name** (e.g. OPM1015Budget.doc; OTG1015Policy.doc):

**20121001\_OCC\_Clear\_Description\_Retail\_Electric\_Offer\_Term**

(If submitting an electronically, please label with date, agency, and title of proposal – 092611\_SDE\_TechRevisions)

State Agency: Office of Consumer Counsel

Liaison: Joseph Rosenthal

Phone: (860)827-2906)

E-mail: Joseph.Rosenthal@ct.gov

Lead agency division requesting this proposal:

OCC

Agency Analyst/Drafter of Proposal:

Joseph Rosenthal

### Title of Proposal

**AAC Clarity of Retail Electric Offering Term**

### Statutory Reference

16-245o(f)(3)

### Proposal Summary

The proposal requires retail electric suppliers to indicate in written solicitations the length of the term of their price offering as prominently as the price offering itself.

*Please attach a copy of fully drafted bill (required for review)*

## PROPOSAL BACKGROUND

### • Reason for Proposal

*Please consider the following, if applicable:*

- (1) Have there been changes in federal/state/local laws and regulations that make this legislation necessary?
- (2) Has this proposal or something similar been implemented in other states? If yes, what is the outcome(s)?
- (3) Have certain constituencies called for this action?
- (4) What would happen if this was not enacted in law this session?

OCC has been made aware of complaints regarding retail electric supply offerings based on a "teaser" price that only lasts for a very short term, with the length of the term either not stated or included in small print.

### • Origin of Proposal

☒ **X** New Proposal

☐ Resubmission

*If this is a resubmission, please share:*

- (1) What was the reason this proposal did not pass, or if applicable, was not included in the Administration's package?
- (2) Have there been negotiations/discussions during or after the previous legislative session to improve this proposal?
- (3) Who were the major stakeholders/advocates/legislators involved in the previous work on this legislation?
- (4) What was the last action taken during the past legislative session?

## PROPOSAL IMPACT



• **Agencies Affected** (please list for each affected agency)

Agency Name: Public Utilities Regulatory Authority of the Department of Energy and Environmental Protection

Agency Contact (name, title, phone): Chairman Arthur House, (860)827-1553

Date Contacted:

Approve of Proposal    ☐ YES    ☐ NO    ☒ X Talks Ongoing

**Summary of Affected Agency's Comments**

Recognition of issue, no objections raised, worthy of further consideration.

Will there need to be further negotiation?    ☐ YES    ☐ NO    Uncertain at this time.

• **Fiscal Impact** (please include the proposal section that causes the fiscal impact and the anticipated impact)

**Municipal** (please include any municipal mandate that can be found within legislation)

**State**

**Federal**

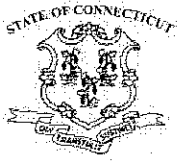
Additional notes on fiscal impact

None expected.

• **Policy and Programmatic Impacts** (Please specify the proposal section associated with the impact)

As stated above, OCC has been made aware of complaints regarding retail electric supply offerings based on a "teaser" price that only lasts for a very short term. The remedy in the proposed legislation is to require that the same font size and color be used to describe the length of the price offering as is used for the price offering itself.

**Insert fully drafted bill here**



## AN ACT CONCERNING CLARITY OF RETAIL ELECTRIC OFFERING TERM

Sec. 16-245o(f)(3). No electric supplier, aggregator or agent of an electric supplier or aggregator shall advertise or disclose the price of electricity to mislead a reasonable person into believing that the electric generation services portion of the bill will be the total bill amount for the delivery of electricity to the customer's location. When advertising or disclosing the price for electricity, the electric supplier, aggregator or agent of an electric supplier or aggregator shall (i) also disclose the electric distribution company's current charges, including the competitive transition assessment and the systems benefits charge, for that customer class; and (ii) indicate, in a conspicuous part of any written solicitation that includes a price offering, the expiration of the term of such price offering, using the same font size and color to describe the applicable term as is used for the price offering.



## Agency Legislative Proposal - 2013 Session

**Document Name** (e.g. OPM1015Budget.doc; OTG1015Policy.doc):

**20121001\_OCC\_Comprehensive Energy Strategy**

(If submitting an electronically, please label with date, agency, and title of proposal – 092611\_SDE\_TechRevisions)

State Agency: Office of Consumer Counsel

Liaison: Joseph Rosenthal

Phone: (860)827-2906

E-mail: Joseph.Rosenthal@ct.gov

Lead agency division requesting this proposal:  
OCC

Agency Analyst/Drafter of Proposal:  
Joseph Rosenthal

### Title of Proposal

**AAC the Comprehensive Energy Strategy Process**

### Statutory Reference

16a-3d

### Proposal Summary

This proposed bill renames the Comprehensive Energy Plan as the Comprehensive Energy Strategy for the sake of accuracy, as this is already the name under which it is now commonly referred. This proposed bill clarifies the processes that will take place at the Department of Energy and Environmental Protection (DEEP) for the development of the Strategy. The proposal also clarifies that the Public Utilities Regulatory Authority (PURA) within DEEP has the responsibility to conduct a proceeding to review the rate impacts of the Strategy.

*Please attach a copy of fully drafted bill (required for review)*

## PROPOSAL BACKGROUND

### • Reason for Proposal

*Please consider the following, if applicable:*

- (1) Have there been changes in federal/state/local laws and regulations that make this legislation necessary?
- (2) Has this proposal or something similar been implemented in other states? If yes, what is the outcome(s)?
- (3) Have certain constituencies called for this action?
- (4) What would happen if this was not enacted in law this session?

In addition to formalizing the now common reference to this document as the "Comprehensive Energy Strategy," this proposal establishes procedures for ensuring public participation in the process for developing the Strategy. This proposal also confirms PURA's continuing authority to review the potential rate impacts of the Strategy.

### • Origin of Proposal

☒ **New Proposal**

☐ **Resubmission**



If this is a resubmission, please share:

- (1) What was the reason this proposal did not pass, or if applicable, was not included in the Administration's package?
- (2) Have there been negotiations/discussions during or after the previous legislative session to improve this proposal?
- (3) Who were the major stakeholders/advocates/legislators involved in the previous work on this legislation?
- (4) What was the last action taken during the past legislative session?

OCC would characterize this as a new proposal because there are some differences with a provision in 2012 Senate Bill 415, a major energy bill which ultimately did not pass, but there are also many similarities with the version in Senate Bill 415.

## PROPOSAL IMPACT

- **Agencies Affected** (please list for each affected agency)

Agency Name: Public Utilities Regulatory Authority and Department of Energy and Environmental Protection  
Agency Contact (name, title, phone): PURA Chairman Arthur House, (860)827-1553, Katie Dykes, Deputy  
Commissioner for Energy of DEEP, (860)827-2805  
Date Contacted: September 27-28

Approve of Proposal    ☐ YES    ☐ NO    ☒ Talks Ongoing

### Summary of Affected Agency's Comments

Interested; warrants further consideration and review.

Will there need to be further negotiation? ☒ YES    ☐ NO    This is uncertain at this time.

- **Fiscal Impact** (please include the proposal section that causes the fiscal impact and the anticipated impact)

**Municipal** (please include any municipal mandate that can be found within legislation)

**State**

**Federal**

Additional notes on fiscal impact  
None expected.

- **Policy and Programmatic Impacts** (Please specify the proposal section associated with the impact)



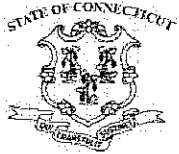
See the "Reason for Proposal" section, above.

**Insert fully drafted bill here**

#### AN ACT CONCERNING THE COMPREHENSIVE ENERGY STRATEGY PROCESS

Section 16a-3d of the 2012 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) On or before July 1, 2012, and every three years thereafter, the Commissioner of Energy and Environmental Protection, in consultation with the Connecticut Energy Advisory Board, shall prepare a [comprehensive energy plan] Comprehensive Energy Strategy. Such [plan] strategy shall reflect the legislative findings and policy stated in section 16a-35k and shall incorporate (1) an assessment and plan for all energy needs in the state, including, but not limited to, electricity, heating, cooling, and transportation, (2) the findings of the [integrated resources plan] Integrated Resources Plan, (3) the findings of the plan for energy efficiency adopted pursuant to section 16-245m, as amended by this act, [and] (4) the findings of the plan for renewable energy adopted pursuant to section 16-245n, as amended by this act, and (5) the Energy Assurance Plan developed for Connecticut pursuant to the American Recovery and Reinvestment Act, P.L. 111-5, or any successor Energy Assurance Plan that is developed within a reasonable time prior to the preparation of any such Comprehensive Energy Strategy. Such [plan] strategy shall further include, but not be limited to, (A) an assessment of current energy supplies, demand and costs, (B) identification and evaluation of the factors likely to affect future energy supplies, demand and costs, (C) a statement of progress made toward achieving the goals and milestones set in the preceding [comprehensive energy plan] Comprehensive Energy Strategy, (D) a statement of energy policies and long-range energy planning objectives and strategies appropriate to



achieve, among other things, a sound economy, the least-cost mix of energy supply sources and measures that reduce demand for energy, giving due regard to such factors as consumer price impacts, security and diversity of fuel supplies and energy generating methods, protection of public health and safety, environmental goals and standards, conservation of energy and energy resources and the ability of the state to compete economically, (E) recommendations for administrative and legislative actions to implement such policies, objectives and strategies, (F) an assessment of the potential costs savings and benefits to ratepayers, including, but not limited to, carbon dioxide emissions reductions or voluntary joint ventures to repower some or all of the state's coal-fired and oil-fired generation facilities built before 1990, and (G) the benefits, costs, obstacles and solutions related to the expansion and use and availability of natural gas in Connecticut. If the department finds that such expansion is in the public interest, it shall develop a plan to increase the use and availability of natural gas for transportation purposes.

(b) In adopting the [comprehensive energy plan] Comprehensive Energy Strategy, the Commissioner of Energy and Environmental Protection [, or the commissioner's designee,] shall conduct a proceeding [and such proceeding] that shall not be considered a contested case under chapter 54, provided [a hearing pursuant to chapter 54] at least one public meeting and a technical meeting shall be held. The commissioner shall give not less than fifteen days' notice of such [proceeding] public meeting and not less than thirty days' notice of any technical meeting by electronic publication on the department's Internet web site. Notice of such [hearing] meeting may also be published in one or more newspapers having a state-wide circulation if deemed necessary by the commissioner. Such notice shall state the date, time, and place of the meeting, the procedures for submitting comments and questions to the commissioner, the subject matter of the meeting, the statutory authority for the proposed [plan] strategy and the location where a copy of the proposed [plan] strategy may be obtained or examined in addition to posting the [plan] proposed strategy on the department's Internet web site. [The Public Utilities Regulatory Authority shall comment on the plan's impact on ratepayers and any other person may comment on the proposed plan.] The commissioner shall provide a time period of not less than [forty-five] sixty days from the date the notice is published on the department's Internet web site for public review and comment and, during such time period, any person may provide comments and



questions concerning the proposed strategy to the commissioner. All written comments or questions submitted to the commissioner shall be promptly posted on the department's Internet web site. Any technical meeting conducted pursuant to this section shall be recorded and transcribed. Such transcription shall be promptly posted on the department's Internet web site. Department staff and any expert retained by the commissioner in developing the strategy shall be available at any such technical meeting for questioning by participants. The commissioner shall consider fully, after all public meetings, all written and oral comments concerning the proposed [plan] strategy and shall approve or reject the strategy. The commissioner shall post on the department's Internet web site, and notify by electronic mail each person who requests such notice, [The commissioner shall make available] the electronic text of the final [plan] strategy or an Internet web site where the final [plan] strategy is posted, and a report summarizing [(1)] all public comments, [and (2)] the commissioner's response to such comments, the changes made to the final [plan] strategy in response to such comments and the reasons [therefore] therefor. The final strategy may not be relied on as precedent or authority by an agency until such strategy has been made available for public inspection and copying. Any document or transcript related to the strategy shall be indexed on the department's Internet web site in a manner that is readily accessible to any such interested person.

(c) The commissioner shall submit the final [plan] strategy electronically to the joint standing committees of the General Assembly having cognizance of matters relating to energy and the environment.

(d) The commissioner may, in consultation with the Connecticut Energy Advisory Board, modify the [comprehensive energy plan] Comprehensive Energy Strategy in accordance with the procedures outlined in subsections (b) and (c) of this section. [The commissioner may approve or reject such plan with comments.]

(e) The decisions of the Public Utilities Regulatory Authority shall be guided by the goals of the Department of Energy and Environmental Protection, as listed in section 22a-2d, and by the goals of the [comprehensive energy plan] Comprehensive Energy Strategy approved pursuant to this section and the [integrated resources plan] Integrated Resources Plan approved pursuant to section 16a-3a and shall be based on the evidence in the record of each proceeding.





(f) All [electric distribution companies'] reasonable costs associated with the development of the [resource assessment] Comprehensive Energy Strategy approved by the commissioner shall be recoverable through [the systems benefits charge] an assessment pursuant to section 16-49, as amended by this act. All electric distribution companies' reasonable costs associated with the development of the strategy, if any, shall be recoverable through a reconciling, nonbypassable component of electric rates as determined by the authority.

(g) In the event that the Comprehensive Energy Strategy approved by the commissioner contains any provision the implementation of which requires funding through new or amended rates or charges, the Public Utilities Regulatory Authority shall conduct a proceeding to review such provision in accordance with the procedures established in section 16-19 or subsection (c) of section 16-19b to ensure that rates remain just and reasonable.



## Agency Legislative Proposal - 2013 Session

**Document Name** (e.g. OPM1015Budget.doc; OTG1015Policy.doc):

**20121001\_OCC\_UTILITY\_Executive\_Salary\_Disclosure.docx**

(If submitting an electronically, please label with date, agency, and title of proposal – 092611\_SDE\_TechRevisions)

State Agency: Office of Consumer Counsel

Liaison: Joseph Rosenthal

Phone: (860)827-2906

E-mail: Joseph.Rosenthal@ct.gov

Lead agency division requesting this proposal:  
OCC

Agency Analyst/Drafter of Proposal:  
Joseph Rosenthal

### Title of Proposal

**AAC Disclosure of Utility Executive Salaries**

Statutory Reference

16-44a

### Proposal Summary

The proposal clarifies and enhances utility executive and officer salary disclosures by making clear that information related to public service companies and holding companies must be submitted to the Public Utilities Regulatory Authority (PURA), and by clarifying the breadth of disclosures.

*Please attach a copy of fully drafted bill (required for review)*

## PROPOSAL BACKGROUND

### • Reason for Proposal

*Please consider the following, if applicable:*

- (1) *Have there been changes in federal/state/local laws and regulations that make this legislation necessary?*
- (2) *Has this proposal or something similar been implemented in other states? If yes, what is the outcome(s)?*
- (3) *Have certain constituencies called for this action?*
- (4) *What would happen if this was not enacted in law this session?*

The existing statute requiring disclosure of the salaries of large public service companies to PURA, Sec. 16-44a, is unclear as to how it applies to the public service company itself as opposed to a parent holding company, and does not define or indicate clearly who should be considered a "director" or "officer" for purposes of disclosure. This proposal clarifies that the report should include the top 20 highest-paid executives, officers, or directors of the public service company or holding company.

### • Origin of Proposal

  X   New Proposal

     Resubmission



If this is a resubmission, please share:

- (1) What was the reason this proposal did not pass, or if applicable, was not included in the Administration's package?
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## PROPOSAL IMPACT

- **Agencies Affected** (please list for each affected agency)

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Date Contacted: September 27-28

Approve of Proposal    ☐ YES    ☐ NO    ☒ Talks Ongoing

### Summary of Affected Agency's Comments

Interested; warrants further consideration.

Will there need to be further negotiation?    ☐ YES    ☐ NO    Uncertain at this time.

- **Fiscal Impact** (please include the proposal section that causes the fiscal impact and the anticipated impact)

**Municipal** (please include any municipal mandate that can be found within legislation)

**State**

**Federal**

Additional notes on fiscal impact  
None expected.

- **Policy and Programmatic Impacts** (Please specify the proposal section associated with the impact)



Customers of a public service company often pay all or substantially all of the salaries of utility executives, officers, and directors through rates. Such customers should therefore be entitled to access a reasonable amount of information about the salaries of utility executives, officers, or directors through an annual PURA filing. The present statute requires amendment to clarify the breadth of the required disclosures.

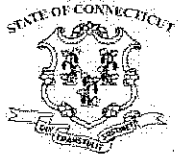
**Insert fully drafted bill here**

## AN ACT CONCERNING DISCLOSURE OF UTILITY EXECUTIVE SALARIES

Sec. 16-44a. Disclosure of salaries of directors and officers of public service companies.

(a) Each public service company as defined in section 16-1, regulated pursuant to sections 16-19 and 16-19e and serving more than three thousand three hundred customers shall (1) on each customer's bill, notify customers at least annually that a listing of the salaries of [its] the public service company's twenty most highly-compensated executives, directors, [and] or officers, and the salaries of the twenty most highly-compensated executives, directors, or officers of a holding company that directly or indirectly controls such public service company, can be obtained from the Public Utilities Regulatory Authority [Department of Public Utility Control] at the customer's request, and (2) not later than July first, annually, submit to the department a listing of the salaries of [all its] the public service company's twenty most highly compensated executives, directors [and] or officers for the preceding fiscal year and the salaries for the preceding fiscal year of the twenty most highly-compensated executives, directors, or officers of a holding company that directly or indirectly controls such public service company [during the preceding fiscal year]. Any such public service company or holding company that files Securities and Exchange Commission Form 10-K, Part III with the authority [department] pursuant to an order of the Authority shall be deemed to be in compliance with subdivision (2) of this subsection so long as the information contained therein includes all of the salary information for which a report is required pursuant to this section.

(b) The [department] authority shall maintain and make available to the public a listing of the salaries of executives, directors, [and] or officers of each public service company and holding company submitting information pursuant to the prior subsection. [regulated pursuant to sections 16-19 and 16-19e and serving more than three thousand three hundred customers.] The [department] authority shall mail such listing to any



person that requests it.